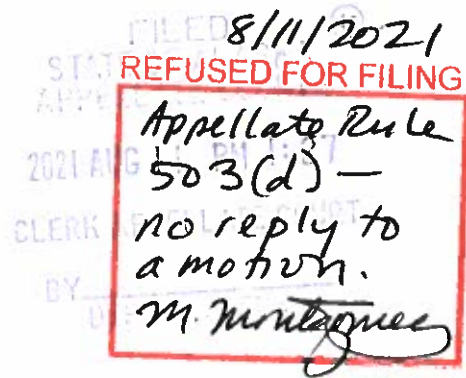


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Attorneys for Appellants

IN THE SUPREME COURT OF THE STATE OF ALASKA

SANDY SULZBACH and ROB
SULZBACH,

Appellants,

v.

CITY & BOROUGH OF SITKA and
JOHN T. FERRICK,

Appellees.

Supreme Court No. S-17853
Superior Court No. 1SI-17-00237 CI

**APPELLANTS' REPLY TO OPPOSITION MOTION TO CONTINUE
ORAL ARGUMENT UNTIL JUSTICES ARE IN JUNEAU**

Appellee, CITY & BOROUGH OF SITKA, in opposition asserts that the absence of a location for oral argument in the court's notice supports only one conclusion; the oral argument was set for Anchorage. Appellants' counsel's experience over the last four decades has been that oral argument is set in the district where the case was tried *unless* there's an agreement to have the case held in another location.

If there is a problem in having oral argument in the district where the case was tried, normally the Clerk's office reaches out and asks whether counsel will agree to oral argument in Anchorage. This is what occurred in *Parks v. Petersburg*, S-17757, where the Clerk's office asked if Appellants' counsel would agree to have oral argument in Anchorage. Counsel did not agree to that change and oral argument will occur in Juneau when the court next comes to Southeast. It is the same situation in this matter. This is a First Judicial District case with interest in this district and if returned to Superior Court will be tried in the First Judicial District.

The only exception that Appellant's counsel can recall in recent memory was in *Metcalf v. State of Alaska*, S-15558, where the court asked whether oral argument could be set in Kenai/Soldotna as part of an educational experience with the high school there. We agreed to that because of that specific request because of the opportunity to participate in a court/community conversation.

Appellant's counsel believed oral argument was set to occur in Juneau and requests that it be set to occur on the court's next scheduled trip to Alaska's capital city.

Dated: August 11, 2021

By: Mark Choate

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Certificate of Service

I certify that a copy of the foregoing was served on
counsel of record this 11th day of August, 2021
via: ☐ US Mail ☐ Fax ☒ Email

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